

**REMARKS**

A request for continued examination is filed herewith.

Claims 1-22 are pending in the application. Claims 1-22 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent Number 4,947,690 ("Cleveland").

Applicants appreciate the opportunity for an interview held between the Examiner and Applicants' attorney, John Conway, via telephone on February 1, 2006. The differences between claimed embodiments of the Applicant's invention and the Cleveland reference were discussed. It was agreed that the Cleveland reference does not teach a sensor secured to a surface of the fastener so that the sensor does not move with respect to this fastener surface in any direction. Cleveland teaches a motion sensor secured to a fastener surface, such that the sensor is still free to rotate relative to this fastener surface. The Examiner will review the amended claim language to determine whether the claims now capture this distinguishing difference.

In summary, Applicants have amended Claim 1 to bring out the inherent meaning of the term "secured." Specifically, Claim 1 defines a motion detector having a fastener and a motion sensor secured to a surface of the fastener such that the motion sensor does not move in any direction with respect to the surface of the fastener to which it is secured.

Cleveland shows no such device. Instead, Cleveland shows a motion sensor 15 movably connected with a bolt member 18. As shown in figure 2, the Cleveland sensing element 15 has a housing 14 that is

connected to a shaft 16. The shaft extends within a bolt member 18 to connect with an annulet 20. Although coupled with the bolt 18, the annulet 20 permits the shaft 16 and thus, its attached sensor 15 and housing 14, to rotate relative to the bolt member 18. Such a connection clearly cannot be considered to secure the sensor 15 to the surface of the bolt 18 such that the motion sensor does not move with respect to this surface of the bolt —it rotates relative to the bolt member surface.

The application description consistently notes that the sensor is immovably secured to the fastener. For example, lines 9-27 of page 10 describe different ways to secure the sensor to an internal wall of a fastener, such as by ultrasonically welding, soldering, and using an adhesive. All of these ways clearly provide a coupling to the fastener surface such that sensor does not move with respect to this fastener surface in any direction. Lines 23 and 24 note that any “conventional means consistent with the goals of various embodiments may be used to secure the inertial sensor 14 to the bore wall.” Clearly, those means include the immediately previously noted means, while the goals include ensuring accurate readings along one or more specific axes of sensitivity.

In fact, securing a motion sensor to a fastener in the manner defined by Claim 1 is exactly what Cleveland sought to avoid. Specifically, the background discusses problems of immovably securing a motion sensor to its underlying item. Column 1, lines 23-29 discuss how the accelerometer must be rotated with the cable and that such a process is cumbersome. Alignment problems also are discussed at column 1,

lines 30-45. Cleveland then continues in its Summary to say that its invention solves these problems by having an accelerometer that is “free to rotate about a shaft . . . .” Accordingly, securing the sensor as required by Claim 1 is contrary to the teachings of Cleveland.

Claim 1 therefore is allowable in view of the cited art. In a similar manner, dependent claims 2-9 also are allowable for the same reasons. Despite this, dependent claims 2-9 add further limitations not discussed or suggested by Cleveland. Several are discussed below by example.

Claim 6 defines a motion detector in which an interior bore of the fastener is filled with a fill material. Cleveland discloses no such apparatus. The office action suggests, however, that Cleveland adds an epoxy to serve that function. Such a characterization is inaccurate, however, because the epoxy actually is used to secure a cap screw 42 to the housing structure 14 (see column 3, lines 1-3). At no time is the epoxy used to fill any bore within the bolt 18.

Claim 7 defines a motion detector having sense axes aligned substantially normal or perpendicular to the longitudinal axis of the fastener. Cleveland makes no mention of any such issue. In fact, the Cleveland sensor rotates and thus, its sense axis potentially could not be fixed relative to any axis. In a manner similar to its comments to Claim 5, the office action suggests that Cleveland discloses this additional limitation, but does not say how or where such limitation is taught.

As a final example, Claim 8 defines a motion detector having connection detection circuitry that is capable of determining if the

fastener is coupled with an object. Once again, Cleveland makes no such suggestion or disclosure of any need for such functionality, or any apparatus performing such a function. The office action suggests that Cleveland teaches such functionality, but does not specifically point to the Cleveland text having making such a disclosure. Instead, the office action generally refers to the majority of the text of the Description of The Preferred Embodiment, without any elaboration.

Amended independent claims 10 and 16 also are allowable for the same reasons as discussed above with regard to claim 1 because, among other things, they respectively require that a sensing means (Claim 10), or motion sensor (Claim 16) be secured to a coupling means (Claim 10) or fastener (Claim 16) such that the motion sensor does not move in any direction with respect to the surface of the fastener to which it is secured.. In addition, their dependent claims also are allowable for the same reasons as discussed above.

Independent Claim 21 defines a motion detector having its motion sensor within the interior of the fastener. As shown in Figures 1, 2, and 4, and discussed throughout its text, Cleveland discloses its sensor 15 and housing 14 as being exterior to the bolt 18. Specifically, rather than position the sensor 15 within the bolt 18, a shaft 16, which is a separate component from the sensor 15 and housing 14, is within the bolt 18. The sensor 15 is exterior to the bolt 18. Accordingly, Claim 21 and its dependent Claim 22 also are allowable in view of the cited art.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 19-4972. Applicants request reconsideration of all claims and a notice of allowance. The Examiner is requested to telephone the undersigned if any matters remain outstanding so that they may be resolved expeditiously.

Respectfully submitted,



John L. Conway  
Registration No. 48,241  
Attorney for Applicants

Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110-1618  
(617) 443-9292

02550/00A18 460095.1